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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Dietmar Hanke,

No. CV-24-03413-PHX-KML

Plaintiff,

ORDER

V.

Jason Trembly, et al.,

Defendants.

Plaintiff Dietmar Hanke filed a “Notice of Dismissal.” (Doc. 8.) Because no defendant has filed an answer, Hanke is entitled to dismiss his case without a court order. Fed. R. Civ. P. 41(a)(1)(A)(i). But Hanke’s notice also requests the court “provide a refund [of the filing fee] to [his] credit card or by check to the address below.” (Doc. 8 at 3.) The statute requiring the collection of a filing fee does not contain any provision allowing for the refund of that fee. 28 U.S.C. § 1914. And many other district courts have concluded “[a] district court lacks the authority to refund a filing fee after a voluntary dismissal.” *Hinman v. Gianforte*, No. CV-24-33-BU-BMM-JTJ, 2024 WL 3567394, at *1 (D. Mont. July 29, 2024) (quoting *Duclairon v. LGBTQ Cnty. & Grace Cnty. Church Klan*, No. 3:18-CV-01095-AC, 2018 WL 5085754, at *1 (D. Or. Oct. 17, 2018)). Because Hanke did not identify any authority to the contrary, his request for a refund is denied.

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1 Accordingly,

2 **IT IS ORDERED** this case is **DISMISSED WITHOUT PREJUDICE**. The Clerk
3 of Court shall close this case. The request for a refund of the filing fee is **DENIED**.

4 Dated this 20th day of December, 2024.

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8 Honorable Krissa M. Lanham
9 United States District Judge

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